KY (initials)

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

LIGHTSPEED AVIATION, INC., an Oregon corporation, Plaintiff, v. **SENNHEISER ELECTRONIC CORPORATION**, a foreign corporation, Defendant.	Civil Action No.: CV '08-0333 KI **COMPLAINT FOR PATENT INFRINGEMENT** (Jury Trial Demanded)

Plaintiff LightSpeed Aviation, Inc. alleges as follows:

THE PARTIES

1.

Plaintiff LightSpeed Aviation, Inc. ("LightSpeed") is an Oregon corporation, having a principal place of business located at 6135 S.W. Jean Road. Lake Oswego, Oregon 97035. LightSpeed uses, offers to sell and sells headsets with auxiliary input jack(s) for cell phone and/or other devices in this district. LightSpeed is the assignee of U.S. Patent No. 7,215,766 ("the '766 patent").

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2.

Upon information and belief, defendant Sennheiser Electronic Corporation has a place of business at 1 Enterprise Drive, Old Lyme, Connecticut 06371. Sennheiser manufactures, uses, offers to sell and sells headsets, including model No. HMEC-Model 460, that infringe the '766 patent.

JURISDICTION AND VENUE

3.

This is an action for patent infringement arising under the Patent Laws of the United States, Title 35, United States Code.

4.

The subject matter jurisdiction for this Court is founded upon 28 U.S.C. § 1338 (patents) and 28 U.S.C. § 1331 (federal question).

5.

Upon information and belief, defendant, Sennheiser Electronic Corporation ("Sennheiser"), regularly and continuously engages in substantial sales and other business transactions in Oregon, and has sold infringing products and/or committed infringing acts in this district. The United States District Court for the Portland Division of Oregon therefore has *in personam* jurisdiction over the defendant.

COUNT I - PATENT INFRINGEMENT

6.

On May 8, 2007, U.S. Patent No. 7,215,766 ("the '766 patent"), entitled "Headset With Auxiliary Input Jack(s) For Cell Phone and/or Other Devices" was duly and legally issued. (See Exhibit A, U.S. Patent No. 7,215,766.)

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7.

Defendant has made, used, offered for sale and sold in the United States, and continues to make, use, offer for sale and sell in the United States one or more headsets and/or other devices, which activities infringe, induce others to infringe, and/or contributorily infringe the '766 patent.

8.

Plaintiff has suffered damages, reduced sales and/or lost profits as a result of the infringing activities of the defendant, and will continue to suffer such damage as long as those infringing activities continue.

9.

The defendant's infringement of the '766 patent has been and continues to be willful, wanton, and deliberate, and with full knowledge and awareness of Plaintiff's patent rights and without license from Plaintiff.

10.

Plaintiff has no adequate remedy at law. Unless enjoined by this Court, the defendant will continue such acts of infringement to Plaintiff's substantial and irreparable damage.

* * *

WHEREFORE, Plaintiff LightSpeed Aviation, Inc. respectfully demands that this Court enter judgment:

A. Preliminarily and permanently enjoining and restraining defendant, its officers, directors, employees, agents, servants, successors and assigns, and any and all persons acting in privity or in concert with the defendants, from further infringement of the '766 patent;

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B. Awarding Plaintiff its damages, together with prejudgment interest and costs, and increasing those damages to three times the amount found or assessed as provided by 35 U.S.C. § 284;

C. Declaring this an exceptional case within the meaning of 35 U.S.C. § 285, and awarding Plaintiff its reasonable attorney's fees and costs and disbursements in this action; and

D. Granting to Plaintiff such other and further relief as this Court deems reasonable.

* * *

Plaintiff respectfully demands a trial by jury of any and all issues triable of right by a jury in the above-captioned action.

Respectfully submitted,

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